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Election Department

NOTIFICATION

EL1. 18|57|EB. *Dated, Trivandrum, 9th February 1957.*

Notification dated 4-2-1957 of the Government of India, Ministry of Law containing certain amendments to the Representation of the People (Conduct of Elections and Election Petitions) Rules, 1956 is republished for general information.

By order of the Governor,
V. KRISHNAMOORTHI,
Secretary.

GOVERNMENT OF INDIA

Ministry of Law

NOTIFICATION.

New Delhi the 4th February, 1957.

S.R.O. No.—In exercise of the powers conferred by section 169 of the Representation of the People Act, 1951 (43 of 1951), the Central Government, after consulting the Election Commission, hereby makes the following further amendments in the

Representation of the People (Conduct of Elections and Election Petitions) Rules, 1956, namely:—

In the said Rules—

(a) in rule 44, in sub-rule (1), *for* the words "on duty at a polling station" the words "on election duty" shall be *substituted*;

(b) in rule 46, in sub-rule (1), *after* the words and figures "rule 42, 43 or 44" the words and figures "or in the case of an elector entitled to vote under rule 44 deliver it or cause it to be delivered to such elector personally" shall be *inserted;*

(c) in rule 47, in clause (e) of sub-rule (2), *for* the words "an officer not below the rank of a Deputy Secretary to Government" the words "any gazetted officer" shall be *substituted*:

(d) in rule 60—

(i) the brackets and figure "(1)" at the beginning shall be *omitted*;

(ii) in clause (iv), for sub-clause (b) the following sub-clause shall be *substituted,* namely:—

"(b) if the said declaration has not been duly signed and attested or is otherwise substantially defective;";

(iii) in clause (viii), *after* sub-clause (e) the word and sub-clause "or (f) if it is not returned in the cover sent along with it to the elector by the returning officer" shall be *inserted;*

(e) in rule 120—

(i) for sub-rules (4) and (5) the following sub-rule shall be *substituted,* namely:—

"(4) The returning officer shall thereafter deal with the postal ballot papers in the following manner:—

(a) no cover in form 18C containing a postal ballot paper received by the returning officer after the expiry of the time fixed in that behalf shall be opened and no vote contained in any such ballot paper shall be counted;

(b) returning officer shall close and seal the packet referred to in sub-rule (2) of rule 88 or, as the case may be, in sub-rule (2) of rule 113.

(c) all other covers in form 18C containing postal ballot papers shall then be opened one after another;

(d) as each cover is opened, the returning officer shall scrutinize the declaration in form

26B or, as the case may be, form 29B contained therein and shall reject the ballot paper and make an appropriate endorsement on the cover in form 18B without opening the same—

(i) if the said declaration is not found in the cover in form 18C, or

(ii) if the said declaration has not been duly signed or attested or is otherwise substantially defective, or

(iii) if the serial number (if any) of the ballot paper entered in the said declaration differs from such number endorsed in the cover in form 18B;

(e) each cover so endorsed and the declaration received with it shall be replaced in the cover in form 18C; and all such covers in form 18C shall be kept in a separate packet with the word "Rejected" endorsed therein";

(ii) In sub-rule (6) *for* the word, brackets and figure "sub-rule (5)" the word, brackets and figure "sub-rule (4)" shall be *substituted.*

[F.7(4)|57-Elections]

K. V. K. SUNDARAM,
Secretary to the Government of India.

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